IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION NO.18665 OF 2005

Dated : 5th February, 2007

Between:

Smt. G.Padmamma

Petitioner

AND

The Station House Officer,
Kaluvoi Police Station,
Nellore District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION NO.18665 OF 2005

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General,

appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 20.08.2005, by one Smt. Padmamma, W/o. Chandramouli, Vedanaparthi Village, Kaluvoi Mandal, Nellore District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her husband was illegally detained by the police, Atmakur Police Station, and kept in Kaluvoi Police Station, and beat him indiscriminately.

3. It appears that a complaint had been lodged by the petitioner through her Advocate, by name one Mr. V.Saravana Kumar, and also a writ petition W.P.No.11231 of 2005. In that connection, when the said Advocate had been to the Office of Mandal Revenue Officer, in the first instance, instead of receiving the complaint, the Revenue Officials have abused and beat him with a roller stick. Thereafter, the said Advocate had approached the first respondent Police Station and lodged a complaint against the Revenue Officials. It appears that the Revenue Officials have also filed a complaint against the said Advocate and both the complaints were registered as Cr.Nos.71 and 69 of 2004, respectively. It is further alleged by the said Advocate that he was taken to the Police Station, where he was beaten by the Police.

4. Be that as it may, the main issue involved in the said writ petition was that the police have whisked away the husband of the petitioner. Upon production of the alleged detenue, on 08.09.2005,

this Court had examined him in-camera and recorded his statement. It appears that, in the said statement, the husband of the petitioner had stated that the police did not harm him in any manner and nowhere any mention is made with regard to his alleged detention by the police. Therefore, virtually, the said writ petition was dismissed, at the stage of admission.

5. Adverting to the incidental question, regarding the allegations made by the said Mr. V. Saravana Kumar, Advocate, this Court, by order, dated 28.09.2005, called for a report from the District Judge, Nellore, after conducting an enquiry. Accordingly, the District Judge, Nellore, had conducted an enquiry and, during the course of enquiry, it appears that, the said Advocate had also adduced oral evidence and that the District Judge, Nellore, found several vital discrepancies in the evidence of the witnesses examined by him. All those details are not worth mentioning.

6. The District Judge, Nellore, also gave narration of various complaints made by the said Mr. V.Saravana Kumar, Advocate, against the Judicial Officers, members of the staff of the Judiciary at Nellore and all those complaints were found to be absolutely false. Further, it appears from the report of the District Judge, Nellore, that the earlier District Judge, Nellore, had recommended for removal of the name of the said Advocate from the rolls for his unbecoming behaviour. However, we are not inclined to go into that aspect.

7. It is to be further noticed that the District Judge, Nellore, had reported that the there is absolutely no truth in the allegations made by the said Advocate, by way of affidavit. In fact, serious note is required to be taken for filing such kind of affidavit. However, we leave it to the wisdom of the said Advocate for the said comments made by the earlier District Judge, Nellore. The details furnished by the District Judge, Nellore, are only after conducting an enquiry, as directed by this Court.

8. We hope that the said Mr. V.Saravana Kumar, Advocate, would not make, allow any such complaint or adverse comments or receive from any corner, so long as he is in the profession.

9. With the above observations, this writ petition is also closed. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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P.Lakshmana Reddy, J.

05TH FEBRUARY 2007

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